

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JONAS ROBERTS,	:	CIVIL NO: 4:08-CV-01853
	:	
Plaintiff	:	
	:	(Judge McClure)
v.	:	
	:	(Magistrate Judge Smyser)
DR. ZALOGA, WARDEN JANINE,	:	
ASSIST. WARDEN BETTI,	:	
CPT. CHIARELLI, LT. MALONEY	:	
and COUNSELOR THOMPSON,	:	
	:	
Defendants	:	

REPORT AND RECOMMENDATION

The plaintiff has filed a motion for the voluntary dismissal of this case. The correctional defendants have concurred. Defendant Zaloga, who filed an Answer on June 2, 2009 (Doc. 48), has not stated concurrence or nonconcurrence.

Rule 41(a)(2) of the Federal Rules of Civil Procedure provides that the case may be dismissed by order of court on terms that the court considers proper. It is recommended that plaintiff's Motion for a Voluntary Dismissal (Doc. 55) be granted and that the case be dismissed as to all defendants.

Defendant Zaloga, if he does not concur in the dismissal, may so indicate by an objection to the recommendation.

/s/ J. Andrew Smyser

J. Andrew Smyser
Magistrate Judge

Dated: August 6, 2009.